

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

In the Matter of the:

Petition of the Wisconsin Department of Transportation for the Relocation of a Public Crossing of the Tracks Owned by the Union Pacific Railroad Co. and Operated by the Wisconsin & Southern Railroad Co. with CTH 'M' in the Town of Westport, Dane County

9170-RX-173

SUPPLEMENTAL ORDER

On February 12, 2004, the Office of the Commissioner of Railroads (OCR) issued an order that required the relocation of a public crossing of CTH 'M' with the tracks owned by the Union Pacific Railroad Co. (UP) and operated by the Wisconsin & Southern Railroad Co. (WSOR) located in the Town of Westport, Dane County by September 1, 2004. (crossing no. 178 062S / MP 144.72). Jurisdiction: Secs. 86.13, 195.28 and 195.29, Stats. The order also required the installation of new warning devices by September 15, 2004.

On September 3, 2004, the Wisconsin Department of Transportation (DOT) requested that the OCR extend the deadlines for the crossing surface work to September 22, 2004 and the warning devices to September 30, 2004. The Commissioner finds the request to be reasonable.

THEREFORE, IT IS ORDERED:

1. That the **Wisconsin & Southern Railroad Co.** shall install and maintain a concrete-panel crossing at-grade of CTH 'M' with the tracks owned by the Union Pacific Railroad Co. and operated by the Wisconsin & Southern Railroad Co. in accordance with the design plans of the Wisconsin Department of Transportation and Dane County in the Town of Westport, Dane County by **September 22, 2004**. (Crossing No. 178 062S / MP 144.72)

2. That the **Wisconsin & Southern Railroad Co.** shall install and maintain a barrier gate with remote monitoring capability and with other appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of tracks owned by the Union Pacific Railroad Co. and operated by the Wisconsin & Southern Railroad Co. with CTH "M" at-grade in the Town of Westport, Dane County by **September 30, 2004**. (Crossing No. 178 062S / MP 144.72). The barrier gate shall be located at least 20' from the near rail.

3. That the **Wisconsin & Southern Railroad Co.** shall install and maintain cantilevered 12" LED automatic flashing lights for each approach and a mast-mounted signal in the median for eastbound traffic, constant warning time circuitry, and other appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of the tracks owned by the Union Pacific Railroad Co. and operated by the Wisconsin & Southern Railroad Co. with CTH 'M' at-grade in the Town of Westport, Dane County by **September 30, 2004**. (Crossing No. 178 062S / MP 144.72).

4. That the **Wisconsin & Southern Railroad Co.** shall install and maintain one retroreflective back-to-back crossbuck with 2" wide reflective vertical strips on the front and back of the support posts on the westbound approach to the pedestrian pathway at the crossing of its tracks with CTH 'M' at-grade in the Town of Westport, Dane County by **September 30, 2004**.

5. That **Dane County and the Wisconsin Department of Transportation** shall clear brush and trees within the existing highway right-of-way to provide a clear view within the required sight triangles (except that part within the railroad right-of-way) by **September 30, 2004**. The triangles for **westbound** traffic are formed by connecting the following points: a) the intersection of the centerline of the roadway and the near rail of the tracks; b) a point 310' down the tracks and; c) a point 231' along the roadway from the near rail of the tracks. The triangles for **eastbound** traffic are formed by connecting the following points: a) the intersection of the centerline of the roadway and the near rail of the tracks; b) a point 310' down the tracks and; c) a point 335' along the roadway from the near rail of the tracks.

6. That the **Wisconsin & Southern Railroad Co.** shall clear brush and trees from its right-of-way for 310' down the tracks in each direction from the relocated crossing by **September 30, 2004**.

7. That jurisdiction is retained.

Dated at Madison, Wisconsin, _____.

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads

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